



## UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/008,773         | 12/05/2001          | Paulus Van Venroolij  | P-9781.00              |

## CONFIRMATION NO. 9636

## FORMALITIES LETTER



\*OC00000007303818\*

Medtronic, Inc  
Thomas F. Woods  
710 Medtronic, Parkway  
Minneapolis, MN 55432

Date Mailed: 01/14/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

07/19/2002 SSALEEKU 00000010 132546 10008773

01 FC:105 130.00 CH

*A copy of this notice MUST be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE



# Facsimile Cover Sheet



Bakken Research Center  
Endepröfsdomein 5  
6229 GW Maastricht  
The Netherlands



27581



**To:** OIE  
Box Duplicate  
Fax (703) 746-4060

**Subject:** Reply to Notice of Missing Parts for:  
Serial No. 10/008,773 Filed 12/02/2001  
Docket No. P-9781.00

**From:** Eric R. Waldkoetter, Reg. No. 36,713  
Tel 011 (31-43) 356-6845,  
Fax 011 (31-43) 356-6521  
eric.waldkoetter@medtronic.com

**Date:** July 5, 2002

**Total Pages 21 (including this cover sheet)**

Sir or Madam,

Please kindly deliver this facsimile promptly to the person responsible for processing missing parts.

Respectfully,

*Eric Waldkoetter*

This information transmitted is intended only for the person to whom it is addressed. It may contain confidential material and should be treated accordingly.



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS UNDER 37 C.F.R. § 1.53(b)**

This is a response to the Notice To File Missing Parts mailed January 14, 2002. A copy of the Notice and the missing Combined Declaration are attached. Additionally, the reply includes a fee transmittal form with the required surcharge, a petition for extension of time and an appointment of associate attorney.

Respectfully submitted,

Date: 5 JUL 02  
Medtronic, Inc.  
710 Medtronic Parkway (MS-LC340)  
Minneapolis, MN 55432-5604



Attachments:

- Notice To File Missing Parts (copy 2); and,
- Combined Declaration.

Eric R. Waldkoetter  
Attorney Reg. No. 36,713  
Located in The Netherlands (ET + 6 hours)  
Office Tel 011 (31-43) 356-6845  
Cell Tel 011 (31) 6 5155-9936  
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[eric.waldkoetter@medtronic.com](mailto:eric.waldkoetter@medtronic.com)



PTO/SB/21 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|                                          |    |                        |              |
|------------------------------------------|----|------------------------|--------------|
|                                          |    | Application Number     | 10/008,773   |
|                                          |    | Filing Date            | 12/02/2001   |
|                                          |    | First Named Inventor   | Van Venrooij |
|                                          |    | Group Art Unit         | 3762         |
|                                          |    | Examiner Name          |              |
| Total Number of Pages in This Submission | 20 | Attorney Docket Number | P-9781.00    |

### ENCLOSURES (check all that apply)

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><br><input type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input checked="" type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><br><input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Remarks                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Box Missing Parts<br>Commissioner for Patents<br>Washington, D.C. 20231                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                            |

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                         |                                                                                   |
|-------------------------|-----------------------------------------------------------------------------------|
| Firm or Individual name | Medtronic, Inc., USPTO Customer No. 27581<br>Eric R. Waldkoetter, Reg. No. 36,713 |
| Signature               | <i>Eric R. Waldkoetter</i>                                                        |
| Date                    | 5 JUL 02                                                                          |

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: \_\_\_\_\_

|                       |  |      |
|-----------------------|--|------|
| Typed or printed name |  |      |
| Signature             |  | Date |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# FEET TRANSMITTAL for FY 2002

Parent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT** (\$ 1570.00)

## Complete if Known

|                      |              |
|----------------------|--------------|
| Application Number   | 10/008,773   |
| Filing Date          | 12/02/2001   |
| First Named Inventor | Van Venrooij |
| Examiner Name        |              |
| Group Art Unit       | 3762         |
| Attorney Docket No.  | P-9781.00    |

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:  
 Deposit Account Number 13-2546  
 Deposit Account Name  
 Charge Any Additional Fee Required  
 Under 37 CFR 1.16 and 1.17  
 Applicant claims small entity status.  
 See 37 CFR 1.27

2.  Payment Enclosed:  
 Check  Credit card  Money Order  Other

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Fee Code                  | Large Entity Fee (\$) | Small Entity Fee (\$) | Fee Description                                                               | Fee Paid |
|---------------------------|-----------------------|-----------------------|-------------------------------------------------------------------------------|----------|
| 105                       | 130                   | 205                   | 65 Surcharge - late filing fee or oath                                        | 130.00   |
| 127                       | 50                    | 227                   | 25 Surcharge - late provisional filing fee or cover sheet                     |          |
| 139                       | 130                   | 139                   | 130 Non-English specification                                                 |          |
| 147                       | 2,520                 | 147                   | 2,520 For filing a request for ex parte reexamination                         |          |
| 112                       | 920*                  | 112                   | 920* Requesting publication of SIR prior to Examiner action                   |          |
| 113                       | 1,840*                | 113                   | 1,840* Requesting publication of SIR after Examiner action                    |          |
| 115                       | 110                   | 215                   | 55 Extension for reply within first month                                     |          |
| 116                       | 400                   | 216                   | 200 Extension for reply within second month                                   |          |
| 117                       | 920                   | 217                   | 460 Extension for reply within third month                                    |          |
| 118                       | 1,440                 | 218                   | 720 Extension for reply within fourth month                                   | 1440.00  |
| 128                       | 1,960                 | 228                   | 980 Extension for reply within fifth month                                    |          |
| 119                       | 320                   | 219                   | 160 Notice of Appeal                                                          |          |
| 120                       | 320                   | 220                   | 160 Filing a brief in support of an appeal                                    |          |
| 121                       | 280                   | 221                   | 140 Request for oral hearing                                                  |          |
| 138                       | 1,510                 | 138                   | 1,510 Petition to institute a public use proceeding                           |          |
| 140                       | 110                   | 240                   | 55 Petition to revive - unavoidable                                           |          |
| 141                       | 1,280                 | 241                   | 640 Petition to revive - unintentional                                        |          |
| 142                       | 1,280                 | 242                   | 640 Utility issue fee (or reissue)                                            |          |
| 143                       | 480                   | 243                   | 230 Design issue fee                                                          |          |
| 144                       | 620                   | 244                   | 310 Plant issue fee                                                           |          |
| 122                       | 130                   | 122                   | 130 Petitions to the Commissioner                                             |          |
| 123                       | 50                    | 123                   | 50 Processing fee under 37 CFR 1.17(a)                                        |          |
| 128                       | 180                   | 126                   | 180 Submission of Information Disclosure Stmt                                 |          |
| 581                       | 40                    | 581                   | 40 Recording each patent assignment per property (times number of properties) |          |
| 146                       | 740                   | 246                   | 370 Filing a submission after final rejection (37 CFR § 1.129(a))             |          |
| 149                       | 740                   | 249                   | 370 For each additional invention to be examined (37 CFR § 1.129(b))          |          |
| 179                       | 740                   | 279                   | 370 Request for Continued Examination (RCE)                                   |          |
| 169                       | 900                   | 169                   | 900 Request for expedited examination of a design application                 |          |
| Other fee (specify) _____ |                       |                       |                                                                               |          |

\*Reduced by Basic Filing Fee Paid **SUBTOTAL (3) (\$ 1570.00)**

\*\*or number previously paid, if greater; For Reissues, see above

## Complete if Applicable

|              |                            |                                   |        |           |                      |
|--------------|----------------------------|-----------------------------------|--------|-----------|----------------------|
| SUBMITTED BY | Eric R. Waldkoetter        | Registration No. (Attorney/Agent) | 36,713 | Telephone | 011 (31-43) 356-6845 |
| Signature    | <i>Eric R. Waldkoetter</i> |                                   |        | Date      | 4 JUL 02             |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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